

REMARKS

Claims 19, 20 and 22-31 are pending in the present application.

Claim 19 is amended to include the limitations of previous claim 17.

Claims 1-18, 21 and 32 are cancelled.

No new matter is entered as a result of the amendments.

Reconsideration on the merits is respectfully requested.

Claim Rejections - 35 USC § 103

Claims 19, 20, 22-25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. (U.S. Patent No. 6,100,811) in view of DeBono (U.S. Patent No. 6,927,671) and further in view of Radke (U.S. Patent Publication No. 2004/0155752).

Claim 19 has been amended to contain the limitations of previous claim 17. Claims 20, 22-25 and 26 ultimately depend from claim 19 and therefore contain the limitations of claim 19.

The rejection of claims 19, 20, 22-25 and 26 under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. in view of

DeBono and further in view of Radke is rendered moot by amendment.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. in view of DeBono in view of Radke and further in view of Dougherty (U.S. Patent No.5,549,984).

The limitations of previous claim 17 have been included in claim 19. As noted by the Office Hsu, as modified by DeBono and Radke, fails to recite a backup battery with sufficient capacity to enable a vehicle to start when a main battery has been discharged. Dougherty is cited as teaching that which is otherwise lacking.

Applicants respectfully disagree with the characterization of Dougherty. Dougherty is specific to a dual battery system wherein the batteries can be interchanged automatically or by the driver. If the primary vehicle battery becomes weak the batteries change roles such that the backup vehicle battery begins to function as a primary vehicle battery.

The present invention differs from Dougherty. There is only a primary vehicle battery and no backup vehicle battery. If the primary vehicle battery becomes weak the device recharges the

primary vehicle battery to the degree necessary to allow access to, and to start, the vehicle after partially recharging the vehicle battery.

There is neither teaching, nor suggestion, in the cited art of an aftermarket device which provides fingerprint access to an interior of an enclosed vehicle and which will charge a partially depleted battery to the extent necessary to allow access to the vehicle and to start the vehicle.

Applicant respectfully submits that the rejection of claim 19, which has been amended to include the limitations of previous claim 17, is patentable over the art of record. Claims 20, 22-31 ultimately depend from claim 19 and are believed to be patentable for, at least, the same reasons as claim 19.

The rejection of claim 17, the limitations of which are now included in claim 19, under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. in view of DeBono in view of Radke and further in view of Doughty is traversed.

Claims 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. in view of DeBono in view of Radke

and further in view of Carta (PCT Published Application WO 02/091,311).

Claim 19 has been amended to contain the limitations of previous claim 17. Claims 26-27 ultimately depend from claim 19 and therefore contain the limitations of claim 19.

The rejection of claims 26-27 under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. in view of DeBono in view of Radke and further in view of Carta is rendered moot by amendment.

Claims 28 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of DeBono in view of Radke and further in view of Bonder et al. (US Patent No. 6,078,265).

Claim 19 has been amended to contain the limitations of previous claim 17. Claim 32 has been cancelled. Claims 28 and 31 depend from claim 19 and therefore contain the limitations of claim 19.

The rejection of claims 28 and 31-32 under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of DeBono in view of

Radke and further in view of Bonder et al. is rendered moot by amendment.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of DeBono in view of Radke in view of Bonder and further in view of Dutu (U.S. Patent No. 6,727,800).

Claim 19 has been amended to contain the limitations of previous claim 17. Claim 29 depends from claim 19 and therefore contain the limitations of claim 19.

The rejection of claim 29 under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of DeBono in view of Radke in view of Bonder and further in view of Dutu is rendered moot by amendment.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of DeBono in view of Radke and further in view of Birchfield (U.S. Patent No. 6,700,479).

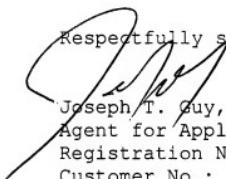
Claim 19 has been amended to contain the limitations of previous claim 17. Claim 30 depends from claim 19 and therefore contain the limitations of claim 19.

The rejection of claim 30 under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of DeBono in view of Radke and further in view of Birchfield is rendered moot by amendment.

CONCLUSIONS

Claims 19, 20 and 21-30 are pending in the present application. All claims are now believed to be in condition for allowance. Notice thereof is respectfully requested.

Respectfully submitted,


Joseph T. Guy, Ph.D.
Agent for Applicants
Registration Number 35,172
Customer No.: 46591

April 9, 2010